IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 19258 of 2007(P)

PETITIONER:

THACHANKARY ESTATES & RESORTS PRIVATE LTD., REGISTERED OFFICE, CHANDRIKA BUILDING, M.G.ROAD, ERNAKULAM, COCHIN-682011 REPRESENTED BY ITS DIRECTOR TISSAN J.THANCHANKARY.

BY ADV. SRI.P.N.RAVINDRAN

RESPONDENTS:

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1. **THE STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE SPECIAL OFFICER, MUNNAR TASK FORCE, MUNNAR P.O., IDUKKI DISTRICT.**

3. **THE DISTRICT COLLECTOR, IDUKKI, PAINAVU P.O, IDUKKI DISTRICT.**

4. **THE REVENUE DIVISIONAL OFFICER, DEVICOLAM, DEVICOLAM P.O., IDUKKI DISTRICT.**

5. **THE TAHSILDAR, UDUMBANCHOLA, UDUMBANCHOLA P.O., IDUKKI DISTRICT.**

6. **THE VILLAGE OFFICER, CHINNAKANAL VILLAGE, CHINNAKANAL P.O., IDUKKI DISTRICT.**

BY SR.GOVERNMENT PLEADER SRI. D. ANILKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/06/2007 ALONG WITH WPC.NO.19330 OF 2007 AND CONT.CASE (C)NO.945 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN . J.

W.P.(C) Nos. 19258 & 19330 of 2007

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C.O.C No.945 of 2007

Dated this the 22nd day of June 2007

JUDGMENT

In W.P.(C) No16733/2007,by judgment dated 1-6-2007 I had recorded the submissions of the learned Govt. pleader that because of the discrepancy in survey number mentioned in the notice issued to the petitioner and the survey numbers of the petitioner's property, the Government will not proceed further except after issuing fresh notice in accordance with law and disposed of the writ petition. Now by Ext.P10 in W.P.(C) 19258/2007 without issuing fresh notice the order has been passed directing the petitioner to vacate the premises. In W.P.(C) 19330/2007 another notice was issued directing the petitioner to vacate the premises. The learned Govt. pleader submits that this was on account of a communication gap between the authorities concerned and that it has been decided to review/re-examine the orders/decisions in accordance with the undertaking as earlier undertaken in W.P.(C) 16733/2007 and to proceed further strictly complying with the legal formalities. This submission is recorded and these two writ petitions are disposed of accordingly.

In view of the said circumstances C.O.C No. 945/2007 which is

filed seeking action for violation of the judgment in W.P.(C) 16733/2007 is closed.

I make it clear that the petitioner shall be given at least one weeks time and an opportunity to adduce evidence before further action It is further made clear that the eviction shall only be after passing a speaking order considering all the contention of the petitioner, that too only if the contentions of the petitioner are not acceptable.

S.SIRI JAGAN,JUDGE

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